

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 February 2025

DOCKET NUMBER: AR20240005350

APPLICANT REQUESTS: payment of the remainder of his Reenlistment Bonus (REB).

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:  
DD Form 149 (Application for Correction of Military Record).

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states he requests the payment of the remainder of his Reenlistment Bonus (REB).
3. A review of the applicant's service record shows:
  - a. With prior enlisted Army National Guard (ARNG) service, he enlisted in the ARNG on 18 February 2009.
  - b. On 20 September 2014, the applicant extended his enlistment in the ARNG for 6-years for a new expiration of term of service (ETS) of 17 February 2021. On the same day the applicant signed his NGB Form 600-7-3-R-E which shows the applicant agreed to serve 6-years for a \$10,000.00 REB with the bonus control number of R14090354PR. He also agreed to served qualified in the MOS 91B (Wheeled Vehicle Mechanic) as the primary position holder of a valid vacancy. His REB would be processed effective the day after his current ETS in two installments. The first 50 percent to be process on the day after his current ETS date of 17 February 2015 with the second 50 percent to be processed on the fourth year anniversary of his REB, 18 February 2019. He understood he would not receive payment of his REB if he did not meet all eligibility requirements on the contract start date.
  - c. On 5 January 2021, the applicant extended his enlistment in the ARNG for 3-years for a new ETS date of 17 February 2024.

d. DD Form 214 (Certificate of Release or Discharge from Active Duty) shows the applicant was ordered to active duty effective 24 November 2020 in support of the Coronavirus pandemic. On 30 June 2021, the was honorably released from active duty upon completion of 7-months and 7-days of active service.

e. On 23 June 2023, the applicant extended his service in the ARNG for 1-year for a new ETS date of 17 February 2025.

f. DD Form 214 shows the applicant was ordered to active duty in support of European Deterrence Initiative effective 2 September 2021. On 25 September 2024, the applicant was honorably retired due to a permanent disability and assigned to the U. S. Army Reserve Control Group (Retired Reserve) upon completion of 3-years and 24-days of active service.

g. On 18 October 2024, Orders Number 9903133, issued by the Department of the Army, the applicant was placed on the Permanent Disability Retired List effective 26 September 2024.

4. On 30 January 2025, in the processing of this case, the National Guard Bureau (NGB) provided an advisory opinion regarding the applicant's request to be paid his REB. The advisory official recommended approval of his request. He enlisted in the Puerto Rico ARNG with as \$10,000.00 military occupational specialty qualified bonus for the period of 18 February 2015 through 17 February 2021 which was signed on 20 September 2014. The bonus was established in the Guard Incentive Management System (GIMS) with the eligibility dates for payment of the first 50 percent on 18 February 2015 and the second 50 percent on 18 February 2019. The applicant received the first payment in the amount of \$5,000.00 on 7 February 2020. A review of the applicant's GIMS profile determined an exception to policy was submitted to the NGB for the discrepancy of the signature page on the addendum being incorrectly uploaded in the system. The discrepancy was corrected with an additional upload of a signed bonus addendum. The applicant met the requirements of the bonus addendum and through no fault of his own he did not receive the second payment.

5. On 31 January 2025, the Army Review Boards Agency Case Management Division provided the applicant the advisory opinion for review and comment. The applicant has not responded.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive and standard review based on law, policy and regulation. Upon review of the applicant's request, military records, and the National Guard Bureau (NGB) advisory opinion, the Board concurred with the recommendation to approve relief. The applicant enlisted in the Puerto Rico ARNG with a \$10,000.00 MOS-qualified bonus for the period 18 February 2015 to 17 February 2021, as documented in the bonus agreement signed on 20 September 2014. He received the first \$5,000.00 installment on 7 February 2020. The NGB confirmed the applicant met all eligibility requirements, and the failure to issue the second payment was through no fault of his own.

2. The Board determined based on the advising opine, there is sufficient evidence to grant relief. Evidence in the record show the applicant signed a bonus addendum (NGB Form 600-7-3-R-E) under bonus control number R14090354PR, which outlined payment in two equal installments on 18 February 2015 and 18 February 2019. Despite meeting all eligibility requirements, the second installment was not paid due to an administrative discrepancy in the Guard Incentive Management System (GIMS), which was later corrected through an exception to policy. The Board noted, the applicant's continued service, including multiple extensions and honorable active-duty deployments, culminating in his placement on the Permanent Disability Retired List, further supports his entitlement. Therefore, the Board granted relief for payment of the remaining \$5,000.00 REB.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
XXX	XXX	XXX	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by showing the applicant is entitled to be paid the second half (\$5,000.00) of his reenlistment bonus.

X //SIGNED//  
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 CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, USC, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. National Guard Regulation (NGR) 600-7 (Selective Reserve Incentive Programs) in effect at the time, prescribes policies and procedures for the administration of the ARNGUS incentive programs.

a. Paragraph 1-13 (Obligation), an enlisted Soldier must enter into a contractual obligation to serve satisfactorily for the full term of service specified for an incentive program authorized by this regulation.

b. Paragraph 1-20 (Termination), a. A Soldier's incentive eligibility and entitlement stop when any of the termination reasons listed within the applicable chapters of this regulation apply. Although the Soldier's entitlement to the incentive is terminated, the Soldier's responsibility to serve the current statutory or contractual obligation remains. b. Once a Soldier has been terminated, reinstatement of eligibility is not authorized. c. The unit commander or an authorized unit representative will initiate termination procedures when a Soldier is terminated from an incentive.

c. Paragraph 3-5 (Entitlement), entitlement to a bonus for an immediate

reenlistment begins on the date of the oath of enlistment; the extension bonus on the first day of the extended period of service. The unit commander must ensure that Soldiers are counseled when they enlist, reenlist, or extend that they will not receive payments immediately under this program. Payments will be processed through personnel and pay channels for payment upon verification of all required contractual documentation.

3. Title 37 USC, section 331 (General bonus authority for enlisted members), (a) The Secretary concerned may pay a bonus under this section to a person, including a member of the armed forces, who:

- enlists in an armed force
- enlists in or affiliates with a reserve component of an armed force
- reenlists, voluntarily extends an enlistment, or otherwise agrees to serve for a specified period in a designated career field, skill, or unit of an armed force
- under other conditions of service in an armed force

(g) (Repayment), a person or member who receives a bonus under this section and who fails to complete the period of service, or meet the conditions of service, for which the bonus is paid, as specified in the written agreement under subsection (d), shall be subject to the repayment.

//NOTHING FOLLOWS//